

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

SANTO BAEZ BAEZ,

Defendant

) Criminal No. 23cr10185
)

) Violations:
)

) Count One: Possession with Intent to Distribute
) 40 Grams or More of Fentanyl

) (21 U.S.C. §§ 841(a)(1) and (b)(1)(B)(vi)
)

) Count Two: Possession of a Firearm in
) Furtherance of a Drug Trafficking Offense
) (18 U.S.C. § 924(c)(1)(A)(i))
)

) Drug Forfeiture Allegation:
) (21 U.S.C. § 853)
)

) Firearm Forfeiture Allegation:
) (18 U.S.C. § 924(d)(1); 28 U.S.C. § 2461(c))
)

INDICTMENT

COUNT ONE

Possession with Intent to Distribute
40 Grams or More of Fentanyl
(21 U.S.C. §§ 841(a)(1) and (b)(1)(b)(vi))

The Grand Jury charges:

On or about June 21, 2023, in Lawrence, in the District of Massachusetts, the defendant,

SANTO BAEZ BAEZ,

did knowingly and intentionally possess with intent to distribute 40 grams or more of a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, also known as fentanyl, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B)(vi), and Title 18, United States Code, Section 2.

COUNT TWO

Possession of a Firearm in Furtherance of a Drug Trafficking Offense
(18 U.S.C. § 924(c)(1)(A)(i))

The Grand Jury further charges:

On or about June 21, 2023, in Lawrence, in the District of Massachusetts, the
defendant,

SANTO BAEZ BAEZ,

did knowingly possess a firearm, to wit: a Rossi, model M971, .357 revolver, bearing serial number ES421972, in furtherance of a drug trafficking crime for which the defendant may be prosecuted in a court of the United States, to wit: possession with intent to distribute 40 grams or more of a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidiny] propanamide, also known as fentanyl, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A)(vi), as charged in Count One of this Indictment.

All in violation of Title 18, United States Code, Section 924(c)(1)(A)(i).

DRUG FORFEITURE ALLEGATION
(21 U.S.C. § 853)

The Grand Jury further finds:

1. Upon conviction of the offense in violation of Title 21, United States Code, Section 841, set forth in Count One, the defendant,

SANTO BAEZ BAEZ,

shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of such offense; and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offense. The property to be forfeited includes, but is not limited to, the following:

- a. \$7,885.00 U.S. Currency seized on June 21, 2023 at 546 Haverhill Street, Basement Apartment, Lawrence, MA; and
- b. Assorted gold jewelry seized on June 21, 2023 at 546 Haverhill Street, Basement Apartment, Lawrence, MA.

2. If any of the property described in Paragraph 1, above, as being forfeitable pursuant to Title 21, United States Code, Section 853, as a result of any act or omission of the defendant -

-

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property described in Paragraph 1 above.

All pursuant to Title 21, United States Code, Section 853.

FIREARM FORFEITURE ALLEGATION
(18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c))

The Grand Jury further finds:

1. Upon conviction of the offense in violation of Title 18, United States Code, Section 924(c), set forth in Count Two, the defendant,

SANTO BAEZ BAEZ,

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c), any firearm or ammunition involved in or used in any knowing commission of the offense. The property to be forfeited includes, but is not limited to, the following:

- a. a Rossi, model M971, .357 revolver, bearing serial number ES421972; and
- b. Forty (40) rounds of .38 special ammunition.

2. If any of the property described in Paragraph 1, above, as being forfeitable pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c), as a result of any act or omission of the defendant --


- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

it is the intention of the United States, pursuant to Title 28, United States Code, Section 2461(c), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property described in Paragraph 1 above.

All pursuant to Title 18, United States Code, Section 924, and Title 28, United States Code,
Section 2461.

A TRUE BILL


FOREPERSON


LEAH B. FOLEY
ASSISTANT UNITED STATES ATTORNEY
DISTRICT OF MASSACHUSETTS

District of Massachusetts: July 18th, 2023

Returned into the District Court by the Grand Jurors and filed.


DEPUTY CLERK